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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE TFT-LCD (FLAT
PANEL) ANTITRUST LITIGATION

EMW, Inc. v. LG Philips LCD CO., LTD et al.
Case No. C-07-2796 SI

THIS DOCUMENT RELATES TO
ALL INDIRECT PURCHASER ACTIONS

MDL No. M:07-cv-01827 SI

Case No. 07-cv-2796 SI

CLASS ACTION

**DECLARATION IN SUPPORT
OF MOTION FOR ORDER SHORTENING
TIME**

Date: July 10, 2007
Time: 10:00 a.m.

Hon. Susan Illston
Courtroom: 10

1 I, Lingel H. Winters, declare as follows:

- 2
- 3 1. I am an attorney duly licensed to practice law by the State of California and admitted to
- 4 practice before this Court. I am principal and owner of the law firm of Lingel H. Winters
- 5 P.C. and my firm along with my co-counsel Thomas V. Girardi of the law firm of Girardi
- 6 & Keese serve as attorney of record for plaintiff EMW, Inc. The matters set forth herein
- 7 are within my personal knowledge, and if called upon and sworn as a witness I could
- 8 competently testify regarding them. I make this declaration pursuant to 28 U.S.C. sec.
- 9 1746.
- 10 2. On April 17, 2007, the Panel on Multi-District Litigation transferred MDL Docket No.
- 11 1827 *In Re TFT-LCD (Flat Panel) Antitrust Litigation* to the Northern District of
- 12 California and assigned to the Honorable Susan Y. Illston. In its order, the MDL Panel
- 13 stated: "We conclude that the Northern District of California is an appropriate transferee
- 14 forum in this docket because over 50 of the actions of which the Panel has been notified
- 15 have been brought in that district..."
- 16 3. On May 30, 2007 Lingel H. Winters P.C. filed the related case of *EMW, Inc. on behalf of*
- 17 *itself and all others similarly situated v. LG. Philips LCD CO., LTD et al.* Case No. C-
- 18 07-2796 SI in the Northern District of California alleging conspiracies to restrain trade in
- 19 the market for TFT-LCD products.
- 20
- 21 4. On June 4, 2007 plaintiff filed its Reply Memorandum Indirect Purchaser Leadership
- 22 Proposal of Lingel H. Winters P.C., in the belief that the June 8, 2007 hearing date for
- 23 motions was firm.
- 24
- 25 5. On June 5, this Court continued all pending motions herein to July 10, 2007
- 26
- 27 6. On June 7, 2007 Lingel H. Winters P.C. filed an Administrative Motion to Consider
- 28 Whether Cases Should Be Related.

1 7. and found and calculated a combined population for the Repealer States of 58,041,000.

2 By contrast, said reference book stated that the population of the State of California was

3
4 31,431,000 persons.or 35% of the total Repealer state populations are in California

5
6 8. On June 19, 2007, Thomas V. Girardi, Esq. of Girardi & Keese agreed to join Lingel H.
7 Winters P.C. as co-counsel representing EMW, Inc. and the putative class of California
8 Indirect Purchasers of TFT-LCD.

9
10 9. Lingel H. Winters P.C. was a member of the Executive Committee in *In Re Microsoft*
11 J.C.C.P. No. 4106, 143 Cal. App. 4th 706 which resulted in a settlement for California
12 indirect Purchasers valued at \$1.1 Billion, 2/3 of the unclaimed portions of which were
13 set aside for underprivileged California schools.

14 10. I have diligently sought to place before the Court plaintiff's Motions, and to streamline
15 the Court's case management with an eye to judicial economy.

16 I declare under penalty of perjury under the laws of the State of California that the foregoing is
17 true and correct. Executed June 21, 2007 in San Francisco, California.

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20 
21 /s/ Lingel H. Winters

22 Lingel H. Winters
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